

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION**

MID-PACIFIC REGION

**SOUTH-CENTRAL CALIFORNIA AREA OFFICE
FRESNO, CALIFORNIA**

Draft

FINDING OF NO SIGNIFICANT IMPACT

2008 RENEWAL OF INTERIM WATER SERVICE CONTRACTS

**Central Valley Project
Sacramento, California**

FONSI-07-75

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San Luis Unit Water Service Interim Renewal Contracts

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the South-Central California Area Office of the U.S. Bureau of Reclamation (Reclamation), has determined that the execution of up to 15 Interim Renewal Water Service Contracts for up to a two-year period from March 1, 2008 through February 28, 2010 is not a major federal action that would significantly affect the quality of the human environment and an environmental impact statement is not required. (see attached table). This Finding of No Significant Impact is supported by Reclamation's Environmental Assessment (EA) Number EA-07-75, "2008 Renewal of Interim Water Service Contracts through February 28, 2010", and is hereby incorporated by reference.

BACKGROUND

Section 3404(c)(1) of the Central Valley Project Improvement Act (CVPIA) authorizes and directs Reclamation to prepare appropriate environmental review before renewing an existing water service contract for a period of twenty-five years. When that directive is not yet satisfied, Reclamation shall renew water contracts for an interim period not to exceed three years and for successive interim periods not to exceed two years. Because 15 interim renewal contractors's existing interim contracts will expire February 29, 2008, and Reclamation has not yet completed appropriate environmental review of a twenty-five year water service contract, Reclamation will execute 15 interim water service contracts. The Proposed Action, therefore, is the execution of these 15 interim renewal contracts with the United States, for 2 years with contract provisions as described within the EA. The 173,440 acre-feet of water available to these 15 contractors under the contract provisions of the Proposed Action will remain the same as in the existing interim contracts.

Reclamation initially prepared an EA in December 1994 to evaluate potential impacts of interim renewal of 67 water service contracts from December 1994 through February 1998. The 67 contracts considered in the 1994 EA were reduced to 54 through consolidation, termination, or assignment. A FONSI for that action was issued in December 1994.

Reclamation completed supplemental EAs in February 1998, February 2000, February 2001, February 2002, and February 2004, February 2006 to evaluate potential impacts from interim renewal contracts for an additional two years from March 1998 through February 2000, an additional one-year from March 2000 to February 2001, an additional 2 years from March 2002 to February 2004, an additional 2 years from March 2004 to February 2006 and an additional 2 years from March 2008 to February 2008. FONSIs for the 1998, 2000, and 2001, 2002, 2004 and 2006 interim contracts renewals, were approved.

The Proposed Action includes terms and conditions required by non-discretionary CVPIA provisions and are consistent with the Preferred Alternative of the CVPIA Programmatic Environmental Impact Statement. The contract provisions of the Proposed Action have been adapted for an interim period, and exclude tiered pricing. (Section 3405(d) of the CVPIA does not require tiered pricing to be included in contracts of 3 years or less in duration and negotiations concluded with a form of contract which does not include tiered pricing.)

Reclamation's finding that implementation of the Proposed Action will result in no significant impact to the quality of the human environment is supported by the following findings:

FINDINGS

Water Resources: No interim renewal contract included in this action will change contract water quantities from the quantities in the existing contracts, and none will cause any increased water use. Therefore, there will be no effect on surface water supplies or quality. For the same reason, renewal of interim contracts will not result in any growth-inducing impacts that will increase water demand during the up to two-year period of this renewal.

Land Use: The renewal of contracts will not provide for additional water supplies that could act as an incentive for conversion of native habitat for increased acreage of agricultural production, municipal and industrial development, or other activities. The amount and types of crops will vary according to the annual water allocation and farming practices, and a small quantity of irrigation use may be changed to M&I purposes where the existing contract and governing laws and regulations allow. Given the two-year period of this renewal analysis, there will be no net effect on land use.

Biological Resources: The amount and timing of storage at CVP reservoirs and flows in rivers and streams that convey CVP water during the two-year analysis period are expected to be similar to the amount and timing of storage and flows under historic CVP operations and will be in conformance with all existing biological opinions and with regulatory requirements. Renewal of the interim contracts will not cause changes in existing programs to protect biological resources, and programs will continue to be implemented to ensure that no significant impacts to biological resources will occur.

Reclamation has completed consultation with the NOAA Fisheries and the U.S. Fish and Wildlife Service on the proposed interim renewal action. The results of those ESA Section 7 consultations, along with implementation of all applicable requirements, ensure that renewal of interim contracts will not result in any significant effect to threatened or endangered species.

Cultural Resources: The Proposed Action will not cause activities that could affect cultural resources, such as permanent changes in reservoir elevations, development of native habitat for agricultural or M&I use, or the construction of any new facilities. No impacts to cultural resources are expected.

Indian Trust Assets: Continued delivery of project water to the existing contracts will not affect any Indian Trust Assets because existing rights will not be affected, no physical changes to existing facilities are proposed, and no new facilities are proposed.

Recreation Resources: The Proposed Action will not cause changes in historic CVP operations that determine reservoir storage or the amount or timing of water deliveries. Therefore, no impacts to recreational resources are anticipated.

Socioeconomic Resources: The renewal of interim CVP contracts will not cause changes from existing contracts in deliveries or pricing of CVP water, CVP facilities operations, CVP power generation and use, or recreation use, and will therefore not cause economic impacts.

Environmental Justice: The Proposed Action will not cause changes in historical water supplies or CVP operations and, as a result, no changes in population, economics, or other indicators of social well being will result from the contract renewal. The Proposed Action will support continued agricultural production and therefore will not cause changes to employment of minority and low-

income populations. No disproportionate impacts to minority or low-income populations are expected to occur as a result of renewing these contracts. There are no environmental justice implications from the Proposed Action.

Cumulative Impacts: The Proposed Action, when added to other past, present, and future actions does not result in additional diversions of water, or significantly impact biological, cultural, recreation or socioeconomic resources. Neither Indian Trust Assets nor disadvantaged or minority populations would be impacted. Water quality would not be degraded as a result of construction activities. Overall there would be no cumulative impacts due to this Proposed Action.

Table 1. Central Valley Project 2008 Interim Renewal Contractors

CVP Contractor	Contract Quantity (A/F)	Contract Purpose of Use	Water Shortage Reliability	Existing IRC Contract No.	Contract Expiration Date	2008 IRC Contract No.
DELTA DIVISION						
Delta-Mendota-Canal Unit:						
Tracy, City of (assignment final 27 Feb 04)	5,000	Ag/M&I	Ag	14-06-200-4305A-IR9-B (partial assign from Banta Carbona ID)	2/29/2008	14-06-200-4305A-IR10-B (partial assign from Banta Carbona ID)
Tracy, City of (assignment final 27 Feb 04)	2,500	Ag/M&I	Ag	7-07-20-W0045-IR9-B (partial assign from the West Side ID)	2/29/2008	7-07-20-W0045-IR10-B (partial assign from the West Side ID)
Westlands Water District (District #1)* (assignment final 9 Nov 04)	2,500	Ag/M&I	Ag	7-07-20-W0055-IR9 (assign. From Centinella WD)	2/29/2008	7-07-20-W0055-I10 (assign. From Centinella WD)
Westlands Water District (District #1)* (assignment final 27 May 05)	2,990	Ag/M&I	Ag	14-06-200-8018-IR9 (assign. From Widren WD)	2/29/2008	14-06-200-8018-IR10 (assign. From Widren WD)
Westlands Water District (District #2)* (assignment final 1 Mar 03)	4,198	Ag/M&I	Ag	14-06-200-3365A-IR9-C (partial assign. From Mercy Springs WD)	2/29/2008	14-06-200-3365A-IR10-C (partial assign. From Mercy Springs WD)
Westlands Water District (District #1)* (assignment final xx/xx/xxx)	27,000	Ag/M&I		14-06-200-8092-IR9 (assign. From Broadview WD)	2/29/2008	14-06-200-8092-IR10
Pajaro Valley Water Mangement Agency, Westlands Water District (District #1), Santa Clara Valley Water District (3-way assignment final 14 May 99)	6,260	Ag/M&I		14-06-200-3365A-IR9-B (3-way assignment from Mercy Springs: see Reclamation 1999 and 2004c)	2/29/2008	14-06-200-3365A-IR10-B (3-way assignment from Mercy Springs: see Reclamation 1999 and 2004c)

Contractor	Contract Quantity (A/F)	Contract Purpose of Use	Water Shortage Reliability	Existing IRC Contract No.	Contract Expiration Date	2008 IRC Contract No.
Cross Valley Contractors: CVP						
Fresno, County of	3,000	Ag/M&I	Ag	14-06-200-8292A-IR11	2/29/2008	14-06-200-8292A-IR12
Hills Valley Irrigation District	3,346	Ag/M&I	Ag	14-06-200-8466A-IR11	2/29/2008	14-06-200-8466A-IR12
Kern-Tulare Water District	40,000	Ag/M&I	Ag	14-06-200-8601A-IR11	2/29/2008	14-06-200-8601A-IR12
Lower Tule River Irrigation District	31,102	Ag/M&I	Ag	14-06-200-8237A-IR11	2/29/2008	14-06-200-8237A-IR12
Pixley Irrigation District	31,102	Ag/M&I	Ag	14-06-200-8238A-IR11	2/29/2008	14-06-200-8238A-IR12
Rag Gulch Water District	13,300	Ag/M&I	Ag	14-06-200-8367A-IR11	2/29/2008	14-06-200-8367A-IR12
Tri-Valley Water District	1,142	Ag/M&I	Ag	14-06-200-8565A-IR11	2/29/2008	14-06-200-8565A-IR12
Tulare, County of	5,308	Ag/M&I	Ag	14-06-200-8293A-IR11	2/29/2008	14-06-200-8293A-IR12
Total	173440					